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6 IN THE UNITED STATES DISTRICT COURT
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,

No. CR 08-0730 WHA

11 Plaintiff,

12 v.

**TENTATIVE RULING RE ADMISSIBLE
PORTIONS OF INTERVIEW OF
DEFENDANT MORIS FLORES**

13 MORIS FLORES, *et al.*,

14 Defendants.
15 _____/

16 This is the Court's tentative ruling regarding which portions of the May 18, 2008,
17 interview of defendant Moris Flores may be admissible. These portions are denoted with blue lines
18 in the attached transcript. As stated during today's proceedings, the Court's view of what
19 portions of the interview may be admissible may be modified at the proceedings on Monday
20 morning.
21

22 **IT IS SO ORDERED.**
23

24 Dated: April 15, 2011.



25 WILLIAM ALSUP
26 UNITED STATES DISTRICT JUDGE
27
28

Interview with Moris Flores "Slow"

Sgt McDonnell: Today's date is May 18, 2008, time is a 12:30 hours, thirty minutes after midnight going to be interviewing **Moris Flores M:** regarding case number **080 518 653** also present is going to be officer **Molina 1586**

Sgt McDonnell: What up man? ..go ahead stand right here. ..

Sgt McDonnell: Moris, I never knew you had a middle name of Alexis

Flores M: Yeah.

Sgt McDonnell: Go ahead stand up. . . what do you go by Moris or Alexis?

Flores M: Moris

Sgt McDonnell: I am looking at the thing it's all tied together one name, how old are you?

Flores M: Twenty

Sgt McDonnell: When did I meet when you were like fifteen or fourteen?

Flores M: 12

Sgt McDonnell: 12 really?

Flores M: Yeah you stopped me on over there on Dolores.

Sgt McDonnell: Damn, really you're making me feel old. Oh yeah that was a long time ago.

Flores M: Why am I here for?

Sgt McDonnell: First things first, it's my doodling I am sitting writing don't lie.

Sgt McDonnell: Moris are you fluent in English or prefer Spanish? What do you prefer English or Spanish?

Flores M: English.

Sgt McDonnell: You have the right remain silent do you understand?

Flores M: Yeah

Sgt McDonnell: Anything you say may be used against you in court do you understand?

Flores M: Yeah?

Sgt McDonnell: You the right to the presence of an attorney before and during any questioning do you understand?

Flores M: Yeah.

Sgt McDonnell: If you cannot an attorney one will be afforded to you free of charge if you want do you understand?

Flores M: Yeah

Sgt McDonnell: You're asking me why you're here alright. You wanna talk to me about why you're here?

Flores M: You want me to talk to you?

Sgt McDonnell: Do you want to talk to me about why you're here?

Flores M: Yeah.

Sgt McDonnell: Alright. You're here because on a yesterday, because now it's after midnight the 17th somebody said that you and your friends got into a beef with them at 20th and Mission.

Flores M: Yesterday?

Sgt McDonnell: It's 12:30 now dude.

Sgt Molina: A couple hours ago.

Sgt McDonnell: So on the 17th we stopped you on the corner.

Flores M: Yeah.

Sgt McDonnell: Right and we talked to you and we left. And after we left about 20 minutes later something else happened on the corner of 20th.

Flores M: 20th?

Sgt McDonnell: Yeah where you guys were at and then the cops came out and arrested you guys.

Flores M: Yeah.

Sgt McDonnell: Alright. There was something that happened with some people in a car. And what I am trying figure out is if they misunderstood what you guys were saying or what? Did they blow it out of portion? What? You what I mean?

Flores M: Nah, I was on the corner the cops just came up to me.

Sgt McDonnell: Yeah but before the cops got there. Because the cops came out there because someone directed them to come out there.

Flores M: Nah, I didn't talk to nobody.

Sgt McDonnell: Well, I am gonna read a portion of this CAD. This is the CAD right here at the top.

Flores M: What happened?

Sgt McDonnell: Just read this top portion real quick. Read right from where my thumb is on the top of the CAD.

Flores M: Shirt black blue jeans.

Sgt McDonnell: Can you read this right here where it says twenty gang members? It says twenty gang members, subject wearing blue black, Surenos and there's a gun in a waistband and it's a black gun and handle.

Flores M: With a gun?

Sgt McDonnell: That's what their saying.

Flores M: And they say it was us?

Sgt McDonnell: Yeah. Well do you remember they did a Cold Show out on the street? You know what I mean by Cold Show? They had you stand there someone came up and looked said, "yes that's them."

Flores M: Nah.

Sgt McDonnell: Well the cops just did.

Flores M: Oh yeah. Oh yeah.

Sgt McDonnell: On the street. They did that and they identified you.

Flores M: They said it was me?

Sgt McDonnell: They identified what do they call the other guy? What do they little chubby there? Francisco.

Sgt Molina: That's your friend the guy I just put on the bench there.

Sgt McDonnell: With the baseball hat? And that other guy that walked away from us earlier.

Flores M: So they go me from wrong incident besides the one you guys want?

Sgt McDonnell: No when we took you on we just took you on. When we got there.

Sgt Molina: No he said the guys that went I told him when he came in.

Flores M: You guys stopped me first then I went down I was walking down then the police pulled me over.

Sgt Molina: We left remember? Remember we left with the lights and everything?

Flores M: Yeah. The police pulled me over that was it.

Sgt Molina: Stopped you or pulled you over?

Flores M: They stopped me.

Sgt McDonnell: But that was somebody else, not us.

Flores M: Yeah that was somebody else.

Sgt McDonnell: That was like 20 minutes after we left you.

Flores M: They were asking for a gun. They were like where's the gun at?

Sgt McDonnell: Exactly. So what was going on, on that corner?

Flores M: Keep it real with you I was walking down the corner I wasn't going up.

Sgt McDonnell: You guys were at 20th and Mission. You guys were chillin' there.

Flores M: Yeah we were walking down it was me him.

Sgt McDonnell: Did someone drive by, the other side talkin' smack?

Flores M: Nah.

Sgt McDonnell: No one looking at you guys mean muggin' you guys?

Flores M: Nah.

Sgt McDonnell: Why would you guys be yellin' across the street?

Flores M: Nah I wasn't yellin' for real.

Sgt McDonnell: Well someone was yellin'.

Flores M: Nah.

Sgt McDonnell: We got witnesses that were watching you guys and they're saying you guys were yellin' across the street and throwin' up gang signs. You know, and then someone in the group pulled a gun that's what the victim's saying, that someone pulled a gun. What I am trying to figure out is did they think they saw a gun or they didn't see a gun you know what I mean?

Flores M: Yeah.

Sgt McDonnell: That's what I'm trying to figure out. If guys are on the corner and screaming at people that's what you do. You were doing it when we were standing with you.

Sgt Molina: You were doing it when we were there with you.

Sgt McDonnell: Obviously that's not an issue, it is what it is you do what you do.

Flores M: Nah but it was that time when he was there standing in front of me I went like this .

Sgt Molina: Yeah you flashed the "garra" to me.

Sgt McDonnell: Yeah but then we left. Now did something else happen when someone else came back.

Flores M: No nothing no nothing.

Sgt McDonnell: Alright well, okay, there's a car that had some people in it that said you guys came up on the car.

Flores M: With a gun?

Sgt Molina: Flashing gang signs.

Flores M: No.

Sgt McDonnell: Not saying you had the gun.

Flores M: Yeah, yeah.

Sgt McDonnell: But they are saying you were throwing gangs signs at them.

Flores M: Yeah, nah.

Sgt McDonnell: I am not trying to put a gun on you.

Flores M: When you guys left for real I would have said.

Sgt Molina: This is what the lady says. You guys were flashing gang signs, she went up there and said stop doing that I have a baby in the car I have a kid in the car please don't do that and then the person that was with you pulled out a gun.

Flores M: Nah.

Sgt Molina: Well what happened Moris? Tell us because if it wasn't a gun or someone was pretending gun play or whatever.

Flores M: Yeah look for real what I can remember is we were walking down and there was a car but I don't remember seeing no lady, it was dude driving.

Sgt Molina: Okay a guy?

Flores M: I was walking in front of the other fool that they let them go and they threw gang signs. I didn't throw no gang signs to him because it was.....

Sgt Molina: Who else was there Demonio, Demonio?

Flores M: Nah, the little dude that left with the one with the black sweater, big one, it was him but he didn't pull no gun. I think he might of pulled.....

Sgt Molina: Tell us why pulled cuz if not a gun, it's not a gun.

Flores M: He didn't pull shit. I don't know if he pulled something they were going like this.

Sgt McDonnell: Throwing the "garra"?

Flores M: Nah.

Sgt McDonnell: You were walking ahead of them?

Flores M: I was walking down, yeah. They were going the other side.

Sgt McDonnell: And dude was in the car?

Flores M: Yeah. Yeah but it wasn't a car it was a truck I think. But it wasn't no gun.

Sgt Molina: What was it then? If it wasn't a gun tell us what it was so there's no misunderstanding. What was it that they were pointing?

Flores M: His hand or something?

Sgt Molina: His hand, how can that be? How can you confuse a gun with a hand?

Sgt McDonnell: You have to have some big ole fingers.

Flores M: I don't know man keep it real with you I would have tell you.

Sgt Molina: Were keeping real with you. Giving a chance to explain what happened.

Flores M: If it was a phone or something I would tell you. I don't think they pulled something.

Sgt Molina: I didn't say nothing about a phone.

Flores M: I don't know if he pulled something for real cause I was walking in front of them. It was a truck but I don't remember seeing no lady in the car. But they shoot at the car? Or they just pulled the gun? What happened?

Sgt McDonnell: You were there we're trying to figure it out.

Flores M: They told me when they came they told me they police the Chinese, who pulled a gun to the guy? I was like what the fuck what gun? I thought they were talking about the incident that you left for that's why I was like I didn't do shit I was with them.

Sgt McDonnell: Couldn't get a better alibi standing with the cops when someone gets blasted.

Flores M: Nah, that's why I felt safe cuz they just stopped so I ain't got shit to do with it.

Sgt McDonnell: Safe? We were leaving.

Flores M: Yeah, cuz you all just stopped me, I thought they were coming for the same thing. So I was like, "what the fuck." For real I don't remember.

Sgt Molina: I didn't shoot at Nortenos, I was with the cops.

Sgt Molina: I thought it was for the same shit I don't know man.

Sgt Molina: Moris you were there bro. I'm not saying that you got it. It might be a misunderstanding I don't know that. We have a victim that says you guys were flashing gang signs, they came and took you on saying don't flash gang signs. We have a kid in the car and someone in the group that was with you pulled out a gun. Was it a gun? The victim says it was a gun. I have no reason to dispute that's her version now I want to know what you guys did.

Flores M: I told you everybody was throwing gang signs and that was it.

Sgt McDonnell: And nobody pulled a gun?

Flores M: Nah we didn't have no gun.

Sgt McDonnell: That's my thing I'm trying to figure out cuz, I am not saying you guys pulled a gun or didn't a gun. I'm trying to figure out if there was a gun, alright. I'm also not saying that you guys fucking beat the shit out of somebody or you didn't beat the shit out of somebody. I'm trying to figure out what it is. I'll tell you what I told the other guys: there's your story, there's her story, and somewhere in the middle the truth.

Sgt Molina: Was it then if it wasn't a gun what was it?

Flores M: I don't know man, keep it real, I don't know.

Sgt Molina: They felt like it was a gun. They thought it was a gun.

Sgt McDonnell: It like you pulled out the OG's tonight. You had Nelson out there tonight.

Flores M: Nelson? Who that?

Sgt McDonnell: Linares

Flores M: Linares?

Sgt McDonnell: Have seen him in ages man.

Sgt Molina: Nelson Linares

Sgt McDonnell: He was taking a break from the block for a bit. You don't know him by his real name you probably know him by . . .

Flores M: What they call him?

Sgt Molina: What they call the guys you were with?

Sgt Molina: You were with Demonio.

Flores M: Yeah.

Sgt Molina: Demonio was there.

Flores M: Him and that other dude but I don't know their names .

Sgt Molina: Wait a minute you just told me on the corner. . . Listen what he tells me Dion. I'm on the corner and I said what are you doing with all these new booties? Oh, oh, well I'm from MS, you told me that. I'm from MS I know all the MS gang members. So you gonna tell me you don't know who there with you?

Flores M: No, no, look look look, I know everybody.

Sgt McDonnell: He just said he didn't know them because they hadn't been jumped in.

Flores M: I know them by face but they not jumped in.

Sgt Molina: Well what do they call them then? They have a little moniker, right, a nickname.

Flores M: They might have a little.

Sgt Molina: They have they might right?

Flores M: I don't call them shit they not jumped in.

Sgt McDonnell: You call them and tell them to get the fuck out here and show up.

Flores M: That's what they might be throwing gang signs. I did it in front of him.

Sgt McDonnell: So is it like new booty, one new booty, two new booty, three? You guys are starting your own sorority or something.

Sgt Molina: You gonna tell me you don't know their name standing right next to you. . . you don't know Demonio?

Flores M: Yeah I know him.

Sgt Molina: Ok.

Flores M: Yeah and he was with me the second time I got stopped.

Sgt Molina: How about Candil. Candil was there?

Flores M: Candil? Nah he was there

Sgt McDonnell: No he wasn't there.

Flores M: Look there's like three fools but I don't know their names. They were walking on the other side.

Sgt McDonnell: They grabbed all of ya.

Flores M: Huh?

Sgt McDonnell: They grabbed all of you.

Flores M: They grabbed all of us. But they went home and they grabbed me with the ponytail.

Sgt Molina: Who's the guy with the shaved head that was with Demonio? His name is Giovanni or something.

Sgt McDonnell: Oh yeah we talked with him a few times.

Sgt Molina: Shadow?

Flores M: Shadow?

Sgt Molina: Yeah, no?

Flores M: No.. Bald headed?

Sgt Molina: Yeah he was there with you. He was stopped with you and they let him go because they said he didn't do anything.

Flores M: What his name. . .He got a nickname, he just got jumped in.

Sgt Molina: He just got jumped in. You kick his ass, you get some in there?

Flores M: I didn't hit nobody man.

Sgt Molina: Who jumped him in?

Flores M: I don't know 'cause I don't be coming right there that fucking often. Not that often.

Sgt McDonnell: Dude you know what a corporation is?

Flores M: Yeah

Sgt McDonnell: You know big business. MS is kinda like that a little bit, they got rules and regulations you guidelines. If you don't show up on the block and you are gonna tell me, "I don't show up." If you don't show up. . .

Flores M: I told him, I told him I show up once in a while, but I don't be coming there like you know... to know to get to know all of them. Cause that's weird cause if I know... I know all the OG's cause I been with them for hella years.

Sgt Molina: How long you been with MS... I've known you for awhile. How long you been with MS

Flores M: Maybe six years.

Sgt McDonnell: Ah, hang on I met you when you were twelve and you're twenty now. That's eight.

Flores M: Yeah, but there's a difference, this, the difference I know all the OG's but they right there bunch of new booties they go to school and hang once in a while, that's why I don't know them like that.

Sgt McDonnell: So what is this like the summertime crew?

Flores M: They come and leave just like everybody else.

Sgt McDonnell: What up then even when they leave, even when the OGs leave they come back and sometime when they come back, they're not welcome. What's up with that? So much drama in the bloc it kinda hard being Lil' Droopy.

Inaudible.....

Flores M: I wish I had one they fuckin.

Sgt Molina: You wish you had one.

Sgt McDonnell: It's interesting you know. Then you get new booties like Maya.

Sgt Molina: And he gets blasted.

Sgt McDonnell: You know that kinda of shit. . .

Flores M: So that lady can tell who pulled the gun?

Sgt McDonnell: She did.

Flores M: She did, she said it was me?

Sgt McDonnell: No, she didn't say it was you, I never said she said it was you.

Flores M: Then who she say it was?

Sgt Molina: You were with the person with the gun flashing gang signs trying to intimidate them.

Flores M: I didn't flash no gang signs

Sgt Molina: What did you do then?

Flores M: I wasn't flashing no gang signs for real. I was walking. My homies were flashing gang signs but I didn't saw no gun.

Sgt McDonnell: Alright Moris here's what the question is because we weren't there, you were there, and she was there, alright, what she's saying is that it was you throwing gang signs, it was your other homie with the gun alright, it was your other homies throwing gang signs but she can only ID you and the other two amigos that area here. The other guys got to walk alright. . . it is what it is. You guys do what you do which is live life do whatever, she does what she does, have kids go home.

Flores M: So it was a lady then, it wasn't no dude?

Sgt McDonnell: There were people that were there

Sgt Molina: There was a dude and a lady.

Flores M: You said it was a dude in the car.

Sgt McDonnell: There was a dude in the car and there was a lady in the car.

Flores M: A lady in the car..nah

Sgt Molina: A kid too, a baby in the car too.

Flores M: A baby in the car??

Sgt Molina: You have a baby don't you?

Flores M: Yeah. But I don't know about that one.

Sgt McDonnell: Moris.

Flores M: I wouldn't let mother fuckers do that for real, for real!

Sgt McDonnell: But you said it was truck.

Sgt Molina: So you gonna tell them what to do, I would let mother fuckers do that? So they listen to you huh.

Flores M: Nah they don't listen to me like that but. . .if I'm there if I'm there and I see lady passing by with a kid. . . I mean, what the fuck. I wouldn't let them do that.

Sgt McDonnell: Unless you don't see the kid that's what I told the other guy, unless you don't see the kid then it's too late.

Flores M: A lady, what the fuck the lady have to do with it?

Sgt McDonnell: Exactly that's my question was she running her mouth? Was she rolling down her windows running her mouth?

Flores M: Nah man it was just a truck, a black truck.

Sgt Molina: A black truck .. So what did black truck do?

Flores M: It just fuckin' went on. They left, that was it.

Sgt Molina: Why though? Why did it happen? Who started the whole flashing shit?

Flores M: It was a truck passing by and dude in the truck with a hat it was red.

Sgt Molina: He had a red hat?

Flores M: He looked Mexican and then everybody started throwing signs, I didn't throw no signs but I saw the hat like this...

Sgt Molina: It was red?

Flores M: Yeah it was red.

Sgt Molina: So the homies thought it was a Norteno?

Flores M: Yeah they thought it was a Norteno, but he wasn't no Norteno.

Sgt McDonnell: Was that just the new booties getting eager?

Flores M: I guess. But we went down we went down we came back we were walking down and the police came that's all that happened the police came and they were asking for a gun.

Sgt Molina: Yeah cause the person said you had a gun, not you but the person next to you.

Flores M: Yeah, yeah.

Sgt Molina: Well that's why you here.

Flores M: I thought it was fuckin'. ... something now.

Sgt Molina: It was something now it just happened.

Sgt Molina: So explain that to me, you say those new booties are not jumped in but they're homies how does it work who decides whether these homies are gonna be gangsters or not?

Flores M: They just

Sgt McDonnell: Do they fill out an application... you know..

Flores M: If they stay there they might be...

Sgt McDonnell: They can't stay there.

Flores M: If they don't, if they leave they might get jumped in on 24th.

Sgt McDonnell: How many Sureno candidates do you know that go from being rejects that can't get in, declined, you can't accept, jumpers.. ones that won't get accepted as Surenos you said they're gonna walk down the block to see if there's openings on the Nortenos. I tried to be a Sureno but they said no, can I be a Norteno?

Flores M: They don't say that. Like dude that killed Memo from 22 Bryant he used to go to the park and shit and he was playing for our team.

Sgt McDonnell: Well you know I'll tell you what I tell other people--not every El Salvadorian is a gang member, not every Honduran is a gang member, not every latin is a gang member, so just cause someone is in the park playing soccer doesn't make them an MS candidate.

Flores M: Nah look he was kickin' it with us.

Sgt McDonnell: I don't know anything about that.

Flores M: Then they got into it about some girl I don't know what the fuck happened and I think Memo whooped his ass or something and he went over there.

Sgt McDonnell: I go with this Memo is not here to talk so I don't like speaking about the dead. You know what I mean so I'm not even gonna discuss it. That's just my thing just peace and lie it is what it is. We're focusing on tonight. Alright. If it's just drama with this chick and she get confused 'cause you guys are on the bloc and she want to call the cops and mess with you well then that's something that makes sense to me. People get tired of seeing gang members hanging out.

Flores M: I don't think it cause of that, they might have talked shit to her or something somebody called the cops for. . .you know for nothing for just seeing people walking or throwing gang signs.

Sgt McDonnell: You be surprised people call a lot of time... people call because there's garbage on the sidewalk, cars double parked, they call for all sorts of reasons. What I'm thinking on this one, she sees you guys on the corner and see you guys and you guys make eye contact with her boyfriend or whoever is in the car and then you guys are throwing gang signs and yelling at them in the car, she rolls down her window trying ... doing whatever she's gonna do. How many people like to be told to you know stop. So it obviously to her right? That makes sense to me that happened if she spins it out of control or he spins it out of control, oh they had a gun.

Flores M: Nah if it was something like that I would have tell you bitch we're passing by and talking shit that's why we fuck.. but it didn't happen like that..just

Sgt Molina: A guy with a red hat.

Flores M: Yeah... just him about what I know.

Sgt McDonnell: So you just never saw her.

Flores M: No, I never saw no girl for real.

Sgt McDonnell: How old do you think that guy was?

Flores M: He was like.. he was like probably 25.

Sgt McDonnell: And he's got that baseball hat.

Flores M: Yeah

Sgt McDonnell: You got it kinda cupped in a U

Flores M: Yeah it was red.

Sgt McDonnell: I got a question for you.

Flores M: It wasn't no Norteno.

Sgt McDonnell: You grew up in this city I mean a big portion of your life at least the last eight years. How can you tell who's who? You know it's nice when some guys put labels on them you know big tattoo you know one guy with a big Norteno on his neck or whatever. How do you tell anybody else? The Mission is, you'll be shocked to hear this is predominately latin so there is gonna be a lot of latin people in the Mission District and a big percentage of them I'd hazard to say most people are not gang members or even related you know. They may be related but they're not gang members at all. You know what I mean so how can you tell?

Flores M: Me. How I tell is if I know them from a long time ago like in back in the days or they're wearing a red belt or red shirt cause if I see somebody wearing red with no red belt or just black but they black wear no red I don't give a fuck. And if they don't say shit to me I don't give a fuck. But if they pass by an I'm with them of course I'm gonna flash on them cause if I don't they're gonna think.. you know.

Sgt Molina: Who's gonna think what?

Flores M: People gonna think the homies are gonna think I'm a pussy if I seen dude with a red belt passing on 20th walking like I said I'm gonna whoop his ass if I'm there I'm gonna whoop his ass. But if I seen dude and I'm in the mall with my girl and my mom and I see dude with a red belt I ain't gonna do shit I'm with my family. I live by where the Nortenos are at I don't say shit to them.

Sgt Molina: Where?

Flores M: Over there on Silver.

Sgt McDonnell: Now I don't get it dude I'm confused. So what if he's wearing a belt? You know what I mean?

Flores M: But what if he

Sgt McDonnell: Maybe he's just wearing just wearing a red belt and hes' walking by. What if he's like a 14 year old kid who just like a red belt and thinks it's cool you know like little kids that wear gun belts and

cowboy boots and you know police uniforms and firemen. Maybe he doing the dress up but he's not really a gangster but he's got the belt.

Flores M: You can tell by his look if they sag their pants or if they..

Sgt Molina: You do the same thing

Flores M: Yeah, yeah but if there the red belt walking like that looking at us like that of course they're a Norteno.

Sgt Molina: Like mugging?

Flores M: Like mugging or looking....

Sgt Molina: So what if he was Norteno?

Flores M: What if he wasn't?

Sgt Molina: No if he was.

Sgt McDonnell: Why can't you just let that go? Who cares, ignore it keep going your with your mom and your lady in a mall.

Flores M: They wouldn't let me pass by with a blue belt or . .

Sgt McDonnell: What if you are not even wearing one what if you're just wearing regular clothes going by. You know what I mean. They don't know you.

Sgt Molina: Ok Moris so you have a chavala coming into your hood right ?. So he's walking by... let him go. Why do you have to go whip his ass?

Sgt McDonnell: You ever hear that song give peace a chance?

Sgt Molina: No tell me tell me why .. so your homies won't think you're a pussy right?

Flores M: No cause look if I see a Norteno it's just beef, we beefing with them course we're gonna get into it.

Sgt McDonnell: I don't get it dude does it go all the way back to state prison to a fight over shoes? You know what I mean you weren't even born then. I don't get it I don't get it I'm always confused.

Flores M: But what I'm trying to find out where's the lady the lady can come and say.

Sgt Molina: She already did.

Flores M: You weren't with them

Sgt McDonnell: She already did that's why the three of you are here.

Sgt Molina: She already did she already said her piece.

Flores M: Then why they didn't find no gun on us. We were walking in same place.

Sgt McDonnell: How many times you guys have guns and we don't find guns. Sometimes we get lucky sometimes not so much. You know what I mean?

Sgt Molina: Depends where you hide it.

Sgt McDonnell: Strap it to the back of a poodle and send it down the street. You could have a call back dog bring my gun.

Sgt Molina: What's up with your eyebrows?

Flores M: Eyebrows they been like that.

Sgt McDonnell: What is it like alopecia you pluck those lines.

Flores M: Ain't no 13, you trying to say that it's a 13.

Sgt McDonnell: It looks like a one and two. What's the other one a two.

Flores M: Yeah a 21, haha.

Sgt McDonnell: You 21 you are not 21 yet.

Sgt Molina: That's not 21 it starts with a one what is it a three.

Flores M: Yeah it's a three

Sgt Molina: Might as well be 13

Flores M: It's my style. Nah cause if it was 13 I would put one and three.

SGT MOLINA: So why three?

Flores M: Just three, I ain't gonna put five or four.

Sgt McDonnell: Doesn't matter it's usually a style for younger kids.

Flores M: I prefer three cause four is...

Sgt McDonnell: Usually you see it on kids that go to Mission or John O'Connell or something because they can't wear any clothes so the sneaky kids will put line in there and will tell the teacher oh it's my style cause that way they don't get into trouble. It is what it is.

Sgt Molina: So how many homies you got right now?

Sgt McDonnell: I never even saw that.

Sgt Molina: What the 20

Sgt McDonnell: Yes. That's pretty subtle

Sgt Molina: Oh yeah he's got a 20 on him that's what I was talking to him he was talking about his sister's computer and I said its 20th St and he said oh yeah its 20th Street.

Sgt McDonnell: I thought the 415 was more of a Norteno tat, it's more of a crossover thing now. I'm surprised you don't have a strike on the four. Make an A out of it or something.

Sgt Molina: Should have crossed it out. You sure

Sgt McDonnell: You see a lot of tagging that goes up and they strike the shit it's all drama.

Sgt Molina: Moris alright dude so where's the gun if there was one.

FLORES M: Shit there was no gun.

Sgt Molina: Alright so we talking ot you

Flores M: You think I'm lying?

Sgt McDonnell: No I'm just telling you don't lie. I'll doodle in God's watching.

Flores M: If you figure out I'm lying then you know I know the consciences and shit..

Sgt McDonnell: You know the nice thing is I never assume someone's lying until I'm positive they're lying. You know that line I like to use. It's better to be thought of as an idiot than to open your mouth and remove all doubt. You ever hear that before, Abraham Lincoln baby. It true if you don't know you don't know. Here's how it works things happen on the street police officers go out there they start figuring out what happened. Once they get to a certain point they call people. We're the people they called for this one. So I get to investigate this. So I got to take it forward from here. I got your side of the story I got her side of the story now what I'll do is take both of them and take it to the District Attorney and the District Attorney will say whatever they're gonna say. That's pretty much it.

Sgt Molina: So your gonna go to jail tonight.

Flores M: I'm gonna go to jail? For what

Sgt McDonnell: Because of what happened

Flores M: I didn't have nothing.

Sgt McDonnell: That's kind of irrelevant. Because thing can go away things happen.

Flores M: Yeah but you telling me the lady said I didn't have nothing or whatever she said you gonna put me in jail for something I didn't do. I mean I'll go but..

Sgt McDonnell: Because he did it

FLORES M: That's fucked up cause look. . .

Sgt McDonnell: The way it works is because he had it, you had it's he's saying all you guys are working together, and as far as we know that's the truth. You know what I mean.

Flores M: That's fucked up dog cause how you gonna put me in jail for something I didn't do. I got a job and shit.

Sgt McDonnell: I wasn't there, I don't know you know what I mean. We still got one more person to talk to. I still got to pull all the cameras.

Flores M: Yeah there's camera right there too on twentieth right?

Sgt McDonnell: Exactly. My only interest dude my only interest is the truth.

Flores M: I'm lose my mother fuckin' job over some bullshit.

Sgt McDonnell: I don't think so you working at Restaurant Depot?

Flores M: Nah a taqueria I just start

Sgt McDonnell: I seen you at the Restaurant Depot and a couple other guys have seen you working in there. You small talk cops that are in there.

Flores M: Nah yeah he saw but I ain't working there no more.

Sgt McDonnell: Who's the manager there Manuel or something like that?

Flores M: Jonathan and..

Sgt McDonnell: No a heavy set latin guy that works in there.

Flores M: Sam

Sgt McDonnell: Is it Sam?

Flores M: Yeah.

Sgt McDonnell: I thought it was Manuel.

Flores M: Manuel?? Noo

Sgt McDonnell: I'll tell you this you're not gonna lose your job, I guarantee you're not gonna lose your job. You know Shyboy form 19th?

Flores M: Yeah

Sgt McDonnell: He went through a lot worse stuff and was gone a lot longer

Flores M: I ain't trying to go to jail for that shit..

Sgt McDonnell: Ok I trying to tell you you ain't gonna lose you job I guarantee you're not gonna lose your job.

Flores M: That's fucked up dog, I'm fuckin' talking to you guys and you don't believe me

Sgt Molina: I'm not saying I don't believe you but we still have a victim that says you did it, you're telling me you didn't do it.

Flores M: That I did it?

Sgt Molina: You were there flashing gang signs next to the guy who had a gun and they felt intimidated by the whole group. They felt threatened because a gun was brandished to them. You were one of the persons going flashing.

Sgt McDonnell: Moris what did we tell you when we left? Not a safe corner to hang out on because Nortenos like to come by and they like to look for anybody hanging out on the corner and whether they're a gang member not a gang member usually it not gonna matter.

YFlores M: That's why we were leaving dog

Sgt McDonnell: This is a half an hour later and you're still there.

Flores M: No it wasn't

Sgt McDonnell: Yeah it was

Flores M: Not a half an hour it was right when you guys left

Sgt McDonnell: We had to drive from here across the district to the scene of the crime we were already there directing people different directions and then the call came out for this one. Actually 2137 right and

Flores M: So I'm going to jail? Damn dude

Sgt Molina: Got figure it out with the DA. See what they decide to do with it.

Flores M: Fucked up man

Sgt McDonnell: You want to call your girl? I'll let you call her in there.

Flores M: How you guys gonna say something like that

Sgt Molina: We're not deciding anything we have a person that says you did something and you're telling us you didn't do it. The other people decide we just go and tell them this is what this person said this is what Moris said and they decide. We listening to you.

Sgt McDonnell: You know what we were doing while you were up on Mission?

Flores M: What?

Sgt McDonnell: Dealing with some poor guy that just got shot. So we're doing that case as well.

Sgt Molina: La Mara did it.

Flores M: La Mara did it?..

Sgt Molina: Uh uh they yelled MS13 after they shot him. Putos quote un quote MS 13 Putos.

Flores M: That's fucked up man I ain't trying to go to fuckin jail.. If I knew something I would have tell you man. Cause I was there like I telling you I there but fuck , I didn't , we didn't have no gun.... The police

Sgt Molina: What was it then!? What was it that he pulled?

Flores M: I can't tell cause if I tell you it was something else I gonna lie to you

Sgt Molina: We don't want you to lie

Flores M: But what the fuck man

Sgt Molina: What your girl's number?

Flores M: 410

Sgt Molina: What is it?

Flores M: 4105408

Sgt Molina: He can call her from his cell phone

Sgt McDonnell: Is she gonna be up?

Flores M: Huh

Sgt McDonnell: Is she gonna be up?

Flores M: She's right there waiting for me.

Sgt McDonnell: She outside here

Flores M: Yeah

Sgt McDonnell: I'll tell you what when ah

Flores M: I nervous I'm fuckin stressing dude cause I'm gonna lose my job and shit.

Sgt McDonnell: I already told you your not gonna lose you job. Matter of fact we can call over there.

Flores M: Nah dog cause look how the fuck.. this my first time coming to twentieth in like a in a couple weeks and look what happens

Sgt McDonnell: But if it like you say where it's just you guys standing out there and the other guys are throwing gang signs well then it's a confusion thing. That means you be in and probably out pretty quick. I'll tell you what talk to her and then I'll talk to her and give her my number so you can give it to your boss and she can write that down and then he can call me an I can explain to him.

Flores M: They're gonna fuckin' fire me you think

Sgt McDonnell: I've talked to him for Shyboy and a couple other guys that worked there. I'm not interested in you losing your job. If you got a job then you're a contributing member

Flores M: That's fucked up dude I'm telling you what happened. That's happened there ain't no gun dude.

Sgt Molina: Alright well I told you how it works

Sgt McDonnell: You want to talk to her.

Flores M: She's outside right??

Sgt Molina: I don't know is that her out there.

Flores M: Yeah

Sgt Molina: I don't know call her back nobody is outside.

Flores M: Fuck man.

Sgt McDonnell: Have a seat

Flores M: That's fucked up man

Sgt Molina: I explained that to you.

Flores M: [Spanish] una senora una pistol

Flores M: I ain't fuckin trying to go to jail for that shit man.

Flores M: [Spanish] Bryant

Flores M: Hey I got the keys right there for her truck can I give it to her.

Sgt McDonnell: For her truck?

Flores M: Yeah what is it

Sgt McDonnell: We'll give them to her is she outside?

Flores M: The keys for the house and stuff [Spanish]

Sgt McDonnell: Hey Mario I'll probably release his keys to her cause she got to try to get into the house.

Sgt Molina: Ok alright.

Sgt McDonnell: I'll talk to her, does she know your boss

Flores M: Yeah [Spanish]

Sgt McDonnell: I just told him I just told him.

Sgt Molina: Talk to him in English so he understands what going on.

Sgt McDonnell: I understand what he's doing.

Sgt Molina: Talk to your girl in Spanish but when you talk to me and him it's in English

Flores M: [Spanish]

Sgt McDonnell: Hey Mario I'm just let you talk to her on the phone and give her my phone number and I'll talk to his boss if he wants

Flores M: [Spanish]

Sgt Molina: He's passing the phone.. when you are done with him let me talk to her so I can give her the number.

Sgt McDonnell: Let's do it right now just wrap it up. Let him talk to her and give her my number.

Flores M: [Spanish]

Sgt Molina: She speaks English right

Sgt Molina: When he's done just have him give you the phone talk to her and that's it.

Sgt McDonnell: She speaks English alright

Sgt McDonnell: Just move him back. Hello. Hello I can't even hear. Hi this is Sgt McDonnell you got a pen I'll give you my number. You ready it's 553 yeah 553 1401 1401 right right and just have his boss give me a call and we gonna explain it so he doesn't .. he's worried about losing his job and I don't want him to lose his job. McDonnell yeah like the restaurant what's your name? He said he was calling his girlfriend Sabrina. So he got your car key down her or what.. ok you want to just come by Mission Station and we'll work it out get your key where are you right now? Over on Gottengin or whatever? Ok what' your phone number? What's your phone number? Uh uh ok yeah come on down ok sure bye.

Sgt McDonnell: The time is one eleven on the eighteenth that concludes the interview with Moris.